

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A RIGHT OF CONSCIENCE IN PUBLIC  
5 ELEMENTARY AND SECONDARY EDUCATION; ALLOWING A PUBLIC SCHOOL EMPLOYEE TO REFUSE  
6 TO TEACH OR PARTICIPATE IN A CURRICULUM CONTRARY TO THE EMPLOYEE'S CONSCIENCE; AND  
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10  
11 NEW SECTION. Section 1. Public education right of conscience. (1) An employee at a public  
12 elementary or secondary school in the state may not be required to teach or participate in a curriculum or parts  
13 of a curriculum that is contrary to the employee's conscience. Nothing in this section gives the employee a right  
14 to discriminate on the basis of race, color, sex, marital status, age, creed, religion, physical or mental disability,  
15 or national origin.

16 (2) A refusal to teach or participate in a curriculum may not be used as grounds to harass, demote, or  
17 dismiss an employee who refuses to teach or participate as a right of conscience.

18 (3) A school district official who harasses, demotes, or dismisses an employee in violation of  
19 subsection (2) is guilty of a misdemeanor and shall be fined an amount not to exceed \$500.

20 (4) For the purposes of this section, "conscience" means a sincerely held set of moral convictions  
21 arising from:

22 (a) a belief in and relation to God;

23 (b) a religious faith or spiritual practice; or

24 (c) a moral philosophy or ethical position, without regard to whether the philosophy or position is  
25 related to a religious faith.

26  
27 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an  
28 integral part of Title 20, chapter 4, and the provisions of Title 20, chapter 4, apply to [section 1].

1

2           NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

3

- END -